

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

PRIOR APPLICATION: Examiner: M. Rao
Group Art Unit: 1652

CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART
PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a [] Continuation [X] Divisional [] Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/473,717, filed on December 29, 1999, of **STORM *et al***, entitled **CLONING AND CHARACTERIZATION OF A HUMAN ADENYLYL CYCLASE**
2. The papers enclosed are as follows:
 - 32 Page(s) of specification including:
 - 01 Title Page w/Abstract
 - 01 Page(s) of claims
 - 15 Sheet(s) of drawings containing Figs. 1-4
3. Amendments

For continuation and divisional applications:

- [] Cancel in this application original claims _____ in the enclosed copy of prior application before calculating the filing fee.
- [] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

4. Oath or Declaration

For continuation or divisional applications:

- ☐ A newly executed (original or copy) oath or declaration is enclosed.
- ☒ A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

For continuation-in-part applications:

- ☐ A newly executed (original or copy) oath or declaration is enclosed.
- ☐ An oath or declaration is not enclosed. This application is being filed under 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the declaration and paying the filing fees.

5. Relate Back - 35 U.S.C. § 120

- ☒ Amend the specification at page 1, line 1 and inserting the sentence::

"This is a ☐ continuation ☒ divisional ☐ continuation-in-part of copending

- ☒ Application Serial No. 09/473,717 filed Dec. 29, 1999, which is a continuation of International Application No. PCT/US98/13541 filed on July 1, 1998 which designated the U.S. and claims priority to U.S. Application Serial No. 08/886,440 filed on July 1, 1997 and to U.S. provisional Application No. 60/098,559 filed July 1, 1997, all of which are incorporated herewith in their entirety."

- ☐ International Application No. _____ filed on _____ and which designated the U.S."

6. Assignment

For continuation or divisional applications:

☒ The prior application is assigned of record to COR Therapeutics, Inc., recorded July 24, 2000 at Reel/Frame 010999/0711 and University of Washington, recorded July 24, 2000 at Reel/Frame 010999/0728.

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

For continuation-in-part applications:

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

7. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee \$740.00
Total Claims	8- 20 =	0	\$ 18.00 each =	+ 00.00
Independent Claims	3 - 3 =	0	\$ 84.00 each =	+ 00.00
Multiple dependent claims (if any)			\$ 280.00	+ 00.00
SUB-TOTAL				0.00
Reduction by ½ for filing by a small entity				0.00
TOTAL FILING FEE				\$.00

8. Fee Payment

☒ Not Enclosed. NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.
This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for paying the filing fees.

9. ☒ The power of attorney in the prior application is to at least one of the

registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number.

Please address all correspondence to:

Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
at **Customer Number: 009629**

10. [x] PETITION FOR EXTENSION OF TIME. If any extension of time is necessary for the filing of this application, including any extension in the prior application, application no. 09/473,717, filed December 29, 1999, for the purpose of maintaining copendency between the prior application and the present application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 50-0310.
11. [x] EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: February 11, 2002

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